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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/927,656	08/10/2001	Ephraim Feig	0009.US00	6554
27309	7590	04/07/2006	EXAMINER	
KINTERA INC. ATTN: LEGAL DEPT. 9605 SCRANTON ROAD, SUITE 240 SAN DIEGO, CA 92121			NGUYEN, NGA B	
			ART UNIT	PAPER NUMBER
			3628	

DATE MAILED: 04/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/927,656

Applicant(s)

FEIG ET AL.

Examiner

Nga B. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 August 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>1/31/05; 3/17/05; 4/15/05</u> | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. This Office Action is the answer to the communication filed on August 10, 2001, which paper has been placed of record in the file.
2. Claims 1-22 are pending in this application.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-11, 13-20, and 22 are rejected under 35 U.S.C. 102(e) as being anticipated by David King, "Soliciting Virtual Money", Library Journal netConnect Supplement, August 10, 2000 (hereinafter King).

Regarding to claim 1, King discloses a web-based, interactive method for determining a person's interest with respect to charitable, philanthropic or political causes and for soliciting donations, the method having a graphical user interface including a display, comprising: asking a first question related to the causes; receiving a response to the first question; determining, based on the response, if subsequent questions are necessary to identify one or more causes; if subsequent questions are not necessary, identifying, based on the response, at least one cause; asking one or more subsequent questions, if necessary, based on the prior response; identifying, based on

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the responses, at least one cause; and asking for a donation (page 2, lines 40-45, e.g. Notional Library Week created a web event, participants could check the library's home page each day for five days to answer a series of questions highlighting a particular library service or program and send their answer to the library; page 2, lines 10-20, asking for online donation), .

Regarding to claim 2, King further discloses receiving a donation on-line (page 2, lines 10-20, asking for online donation).

Regarding to claim 3, King further discloses wherein the recited steps are conducted during an on-line event on the Internet (page 2, lines 25-30, placing an event online and asking for donation).

Regarding to claim 4, King further discloses wherein the recited steps are conducted during a web-cast on the Internet (page 2, lines 45-48, e.g. a graphic link was placed prominently on the library's homepage).

Regarding to claim 5, King further discloses providing information about the charities (page 2, lines 25-30, e.g. the web event is create to publicize an upcoming program and to provide good public relations for the library).

Regarding to claim 6, King further discloses further comprising providing at least one link to a web page of the selected cause (page 2, lines 15-20, e.g. The New York Public Library provides a link to "Contributions and Membership" right on the homepage).

Regarding to claim 7, King further discloses retrieving the selected web page (page 2, lines 15-20, The New York Public Library provides a link to "Contributions and

Membership” right on the homepage, the contribution page describes why the library needs donations, by clicking on a Contribute Now link, the user accesses an online pledge form).

Regarding to claim 8, King further discloses wherein the questions influence an individual to make a donation (page 2, lines 40-45, e.g. Notional Library Week created a web event, participants could check the library’s home page each day for five days to answer a series of questions highlighting a particular library service or program and send their answer to the library).

Regarding to claim 9, King further discloses wherein the selected web pages includes information that influences an individual to make a donation (page 2, lines 15-20, The New York Public Library provides a link to “Contributions and Membership” right on the homepage, the contribution page describes why the library needs donations).

Regarding to claim 10, King further discloses further comprising displaying information about other donors that have donated to the causes (page 3, lines 5-20).

Regarding to claim 11, King further discloses displaying a virtual plaque honoring the donors (page 3, lines 5-20).

Claims 13-20 are written in means that parallel the limitations found in claims 1-4, 8-11 above, therefore, are rejected by the same rationale.

Claim 22 contains similar limitations found in claim 1 above, therefore, are rejected by the same rationale.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 12 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over David King, "Soliciting Virtual Money", Library Journal netConnect Supplement, August 10, 2000 (hereinafter King).

Regarding to claims 12 and 21, King does not disclose updating the virtual plaque to honor new donors. However, updating information is well known in the art. Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify King's to incorporate feature above for the purpose of updating the latest information about new donors, for the purpose of encouraging people to match their own contributions.

***Conclusion***

7. Claims 1-22 are rejected.

8. The prior arts made of record and not relied upon is considered pertinent to applicant's disclosure:

Shade et al (US 6,519,573) disclose system and method for charitable giving.

Hsu et al (US 7,013,292) disclose method and system for universal gift registry.

Costin et al (US 20020049816) disclose system and method for raising funds and establishing user affinity over a distributed network.

Adam Corson-Finnerty, Cybergifts, Parts 4-6, 1999, discloses the Internet-based fundraising.

Adam Corson-Finnerty, discloses Library Fundraising on the Web, January 1998.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Nga B. Nguyen whose telephone number is (571) 272-6796. The examiner can normally be reached on Monday-Thursday from 9:00AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Sough can be reached on (571) 272-6799.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-3600.

10. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks  
C/o Technology Center 3600  
Washington, DC 20231

Or faxed to:

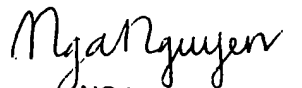
(571) 273-8300 (for formal communication intended for entry),

or

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(571) 273-0325 (for informal or draft communication, please label  
"PROPOSED" or "DRAFT").

Hand-delivered responses should be brought to Knox Building, 501 Dulany  
Street, Alexandria, VA, First Floor (Receptionist).

  
NGA NGUYEN  
PRIMARY EXAMINER

March 15, 2006